

Finally, the "Africa: Seeds of Hope Act" establishes a new and more reliable mechanism for providing emergency food aid overseas. Rather than waiting until emergencies arise to purchase food for donation, the bill establishes a humanitarian trust that buys commodities when they are in surplus and distributes them immediately when they are needed. This mechanism will allow for more timely and cost-effective responses to humanitarian crises.

Mr. President, a great deal of planning and hard work went into the passage of this legislation, not only by my colleagues and their staff members but especially by the private, voluntary organizations involved in sustainable development, such as Catholic Relief Services and Bread for the World. These organizations work directly with the African communities most affected by hunger and famine, and their input into this process was quite valuable. I commend them for their efforts, and I know they join me in welcoming the passage of this important piece of legislation.

VACANCIES REFORM ACT

Mr. LIEBERMAN. Mr. President, I want to add my voice to those supporting the passage of the Vacancies Reform Act as part of this bill. The Vacancies Reform Act addresses an enormously important issue: the need to protect the Senate's constitutional role in the appointment of Federal officers. The Constitution provides that the President's power to appoint officers of the United States is to be exercised "by and with the Advice and Consent of the Senate." Unfortunately, in too many cases, over the course of the past several Administrations, the Senate's constitutional prerogatives have been ignored, through the Executive's far too common practice of appointing acting officials to serve lengthy periods in positions that are supposed to be filled with individuals confirmed by the Senate.

With the leadership of Senators BYRD and THOMPSON, we in the Governmental Affairs Committee have worked for a large part of this session to try to find a solution to this problem that reasserted the Senate's constitutional rights while at the same time avoided creating an unwarranted risk to the Government's good functioning. As noted in the Additional Views I and others signed to the committee's report, the bill the committee reported in July and the Senate considered in September went most of the way toward achieving these goals. Nevertheless, because it still contained a number of troubling provisions that, in my view, could have hindered the ability of the executive branch to carry out its duties, I could not in the end support that version of the bill.

Since the bill's floor consideration in September, all of the interested parties have worked hard and in good faith to

address the concerns that remained about the bill, with the result that we now have a good bill, one that offers a measured and appropriate response to the Executive's longstanding unwillingness to comply with the dictates of the Vacancies Act. I am particularly pleased that the final version of the bill resolves one of my biggest concerns—that we not define who may serve as an acting official in a manner that, in some cases, effectively precludes anyone from serving in an acting capacity. The final version of the bill well addresses this problem by offering the President the option to choose any senior agency staff who has worked at the agency for at least 90 days to serve as the acting official.

So, Mr. President, let me once again thank Senator BYRD, Senator THOMPSON, and the others who have worked so hard on this bill. I am pleased that it soon will become law.

NUCLEAR PROLIFERATION CONCERNS WITH THE DEPARTMENT OF ENERGY'S PLANS TO USE A COMMERCIAL LIGHT WATER REACTOR TO PRODUCE TRITIUM FOR DEFENSE PURPOSES

Mr. THURMOND. Mr. President, I rise today to discuss an issue of the utmost importance to the safety and security of every American—the timely restoration of tritium production to maintain our nuclear deterrent. Some have attempted to focus this debate on cost. Mr. President, the most significant issue in this debate is not cost—it is the National Security of the United States.

For those who do not know, tritium is a radioactive gas and is an essential component of modern nuclear weapons. It decays at a rate of five-and-a-half percent per year, so in order to maintain our nuclear deterrent the tritium must be continually replaced. We have not produced tritium in this country since 1988, when the reactors at the Savannah River Site in South Carolina were shut down. Since that time the Department of Energy has examined countless options and technologies, but has not yet selected a new source. The end result of almost a decade of stalling is millions in wasted taxpayer dollars and no progress in meeting the requirements of the Department of Defense. If the Department of Energy is unable to begin the production of tritium before 2007, the impact will be unilateral U.S. nuclear disarmament. Mr. President, given the perilous international security environment that exists, we cannot afford to allow this to happen. The National Security interests of our Nation demand that we have a reliable source of tritium.

For a variety of reasons, the Clinton Administration has mismanaged this program by delaying implementation, issuing torrents of misinformation, and failing to acknowledge the true liabilities of the commercial light water reactor option. Make no mistake,

through its actions, and inaction, this Administration has put our nuclear deterrent in jeopardy. This matter is of the utmost importance to the Nation and I feel compelled to raise my concerns with my colleagues here today.

The Department has narrowed its choices down to two options—the use of a commercial light water reactor at the Tennessee Valley Authority (TVA) or the use of a defense linear accelerator at a dedicated defense site. In my opinion, the only viable option, in terms of cost, reliability, ability to meet Defense Department needs, and maintain a high non-proliferation stance, is the Accelerator for the Production of Tritium (APT).

Over the past three months, a variety of inaccurate and misleading claims have been made regarding the APT option. To date, I have not come to the floor to correct these inaccuracies because my efforts were focused on completing work on the National Defense Authorization Act Conference Report. The enactment of this bill is essential to the armed forces of the United States. It provides the men and women who wear the uniform of our Nation with a much needed pay raise, it includes many vital readiness enhancements, and provides for the long-term modernization of our military. However, now that the Conference Report has been signed by the President and is law, I wish to take a few moments to voice my concerns with the Department of Energy's tritium production program.

Despite the flood of misinformation, one fact remains abundantly clear and irrefutable—that we must have new tritium production source very soon or leave our Nation without the nuclear deterrent that has kept the peace so well for the past 50 years. Mr. President, let me state this plainly. My fear is that the commercial light water reactor option may never yield the tritium needed to maintain our defense nuclear stockpile. The regulations of the Nuclear Regulatory Commission make a commercial reactor vulnerable to third party intervenor lawsuits and as a result, that litigation could easily block that facility from coming on-line before it ever produces the first kilogram of tritium for defense purposes. Only tritium produced in an accelerator, at a dedicated defense site, will assure that we have the tritium we need when we need it.

Mr. President, the cold war is over, but many dangers remain. In fact, the world may be a much more uncertain place today than it was during the height of the cold war. Despite President Clinton's rhetoric on stemming the proliferation of nuclear weapons and other weapons of mass destruction, we continue to see new and troubling proliferation trends. Recently, we learned that Iraq's nuclear program is much more advanced than previously thought. Earlier this year we witnessed the very public entry of two new nations—India and Pakistan—into the